

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RUBEN O. FAVELA,

Plaintiff,

v.

No. _____

**CITY OF LAS CRUCES ex rel. LAS CRUCES
POLICE DEPARTMENT, LAS CRUCES POLICE
OFFICERS Matthew Dollar and Manuel Soto,
PHC-LAS CRUCES, INC., a New Mexico Corporation,
dba MEMORIAL MEDICAL CENTER, Danielle Wilhelm, M.D.,
James Proctor, R.N., Jamie Pitts, R.N., Jose Reveles, R.N.,
Cassandra Branch, R.N., and John Doe Security Guards 1 and 2,**

Defendants.

NOTICE OF REMOVAL

Defendants City of Las Cruces ex rel. Las Cruces Police Department, and Las Cruces Police Officers Matthew Dollar and Manuel Soto (collectively, “Defendants”), by and through their counsel, HOLT MYNATT MARTÍNEZ P.C. (Damian L. Martínez), hereby remove this action to the United States District Court for the District of New Mexico. In support of removal, Defendants state the following:

1. Defendant City of Las Cruces ex rel. Las Cruces Police Department is a municipal government and political subdivision of the State of New Mexico.
2. The Court has jurisdiction under 28 U.S.C. § 1441, and this case arises under 42 U.S.C. §§ 1983 and 1988, and involves federal questions.
3. The United States District Court for the District of New Mexico is the proper Court to remove actions from the Twelfth Judicial District Court for the State of New Mexico.

4. Pursuant to 28 U.S.C. § 1446, Defendants have attached hereto as **Exhibit A** copies of all process, pleadings, and orders that have been filed in this matter.

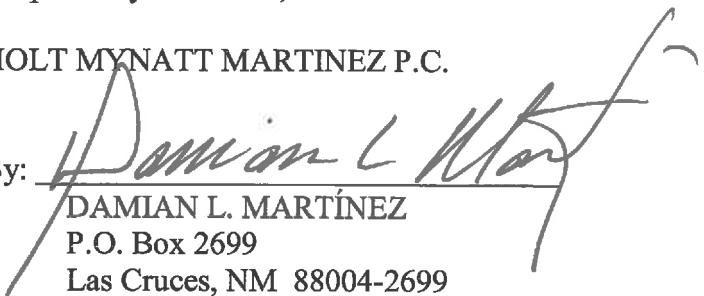
5. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely because it is filed within thirty (30) days after Defendants' receipt, through service or otherwise, of a copy of an initial pleading setting forth a claim for relief.

WHEREFORE, Defendants hereby give notice that this action is removed to the United States District Court for the District of New Mexico.

Respectfully submitted,

HOLT MYNATT MARTINEZ P.C.

By:


DAMIAN L. MARTÍNEZ
P.O. Box 2699
Las Cruces, NM 88004-2699
(575) 524-8812

CERTIFICATE OF DELIVERY

I hereby certify that on this 18th day of May 2017, I e-mailed a true and correct copy of the foregoing pleading to:

Jose R. Coronado
Cjr1138@qwestoffice.net


DAMIAN L. MARTÍNEZ